

Docket No. F-6803

Ser. No. 09/750,604

AMENDMENTS TO THE DRAWINGS:

Please find accompanying this response a replacement sheet for Fig. 5 wherein amendments explained in the Remarks presented below are effected. Fig. 5 is amended to remove black areas and shading objected to in the Office Action. No new matter is added.

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REMARKS

Claims 1, 3, and 5-15 are now pending in this application. Claims 1-3 and 5-7 are rejected. Claim 2 is cancelled herein. Claim 4 is previously cancelled. New claims 8-15 are added. Claims 1, 3 and 5-7 are amended herein to clarify the invention, broaden language by removing the requirement for direct linkage, and to address matters of form unrelated to substantive patentability issues. For the convenience of the Examiner, APPENDIX I is provided herewith having a complete set of pending claims with all amendments effected therin.

INTERVIEW ACKNOWLEDGMENT

The applicant and applicant's attorney appreciate the Examiner's granting of the telephone interview conducted on July 19, 2005, and extend their thanks to the Examiner for her time and consideration. During the interview the Junkin and Hawkins references were discussed and proposed claim amendments were discussed. Substance of the discussions is detailed below in reference to the claim rejections.

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CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-3 and 5-7 are rejected as obvious over the Junkins reference in view of the Hawkins reference under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

During the interview it was explained that the proposed claims include subject relating to the production of transaction information for the exchange of possession of game elements in response to a game machine being discriminated to be a first or a second game machined in response to an outcome of the common game. In other words, once a game outcome is determined the game system or method requires that the game elements of one of the game machines be offered for selection to the other game machine. This offering for selection is not optional but is in response to an outcome of the game occurring.

It was explained in the interview that both Junkin and Hawkins fail to disclose and teach the above feature. In Junkin, transactions between users are not described. The transaction system described in Junkin is that game elements are stored in the contest roster database which a central server manages. A user can select at least one of the game elements stored in the database (col. 6, lines 17-19).

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Thus, a user transacts with a central computer to select elements and the selection is not triggered by a game outcome. Furthermore, since a player on the roster may be on more than one game player selections list, there is no offering and selection between game player in response to a game outcome.

It was further noted that Hawkins discloses a transaction system that two users exchange messages directly until both agree about one game element (playing object) as a transaction subject. Based on the result information of the negotiation, the central database is updated (col.16 line 51- col.17 line22). Thus, there is no production of transaction information done in response to a game outcome.

After discussion of the above references and the claims, agreement was reached that the proposed claim language would distinguish the claims over the presently applied references. The claims as now amended reflect those proposed amendments.

Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of the claims and their allowance are respectfully requested.

During the interview, the Examiner noted that the aspect of the game outcome being a surrender that results in the offering of possession appears to be also distinguishing. Accordingly, claims 8, 10, 12 and 14 are added and include this subject matter.

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In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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enc. Replacement drawing sheet of Fig. 5.